

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

ADIL LAHRICHI,

Plaintiff,

V.

LUMERA CORPORATION, a Delaware corporation; MICROVISION, INC., a Delaware corporation; and THOMAS D. MINO,

Defendants.

CASE NO. C04-2124C

MINUTE ORDER

The following Minute Order is made by direction of the Court, the Honorable John C. Coughenour, United States District Judge:

This matter comes before the Court on Plaintiff's Attorneys' Motion To Withdraw as Counsel (Dkt. No. 131); Plaintiff's Response opposing withdrawal of his counsel (Dkt. No. 144); Defendants' Response expressing nonopposition to such withdrawal (Dkt. No. 139); Plaintiff's Attorneys' Reply in support of their motion to withdraw (Dkt. No. 146); Plaintiff's Motion To Seal and To Reassign Motion To Withdraw as Counsel to Different Tribunal (Dkt. No. 143); Plaintiff's Attorneys' Response expressing no objection to Plaintiff's motion to seal and resassign (Dkt. No. 145); and Defendants' Supplemental Response to both the withdrawal motion and the motion to seal and reassign (Dkt. No. 148).

MINUTE ORDER – 1

1 Having fully considered the papers submitted and the arguments made by the parties and counsel,
2 the Court rules as follows.

3 (1) Plaintiff's Motion to Seal and To Reassign Motion To Withdraw as Counsel to Different
4 Tribunal is GRANTED in part and DENIED in part, as follows:

5 (a) The Court GRANTS Plaintiff's request that the Court leave the *Ex Parte* Sealed
6 Documents filed by Plaintiff in their sealed form. Specifically, Plaintiff's Response and
7 Declaration Opposing Plaintiff's Attorneys' Motion To Withdraw as Counsel (Dkt. No. 144) and
8 Plaintiff's Motion To Seal and To Reassign Motion To Withdraw as Counsel to Different
9 Tribunal (Dkt. No. 143) will remain SEALED. Further, the Court finds that the information
10 contained in those two documents is specifically tailored to the issues raised by Plaintiff's
11 Attorneys' Motion To Withdraw as Counsel. In light of Defendants' expression of nonopposition
12 to Plaintiff's *ex parte* communication with the Court regarding attorney-client privileged
13 information necessary for resolving the withdrawal motion (Defs.' Supp. Resp. 2), and finding
14 that the documents are indeed limited to such privileged information relevant to the withdrawal
15 motion, the Court finds no reason to provide copies of these *ex parte* sealed documents to
16 Defendants. Their contents will not be considered for any purpose other than resolution of the
17 instant withdrawal motion.

18 (b) The Court DENIES Plaintiff's request to reassign the withdrawal motion to a different
19 tribunal. Finding no legal or other reason to reassign the motion, this Court will rule on the
20 motion to withdraw.

21 (2) Plaintiff's Attorneys' Motion To Withdraw as Counsel is GRANTED in full. Katrin E.
22 Frank, Joseph R. Shaeffer, and the firm of MacDonald Hoague & Bayless and all of its attorneys are
23 hereby permitted to withdraw as counsel for Plaintiff Adil Lahrichi in this matter. Such withdrawal is
24 effective as of Friday, February 10, 2006. The firm of MacDonald Hoague & Bayless and its attorneys
25 are hereby DIRECTED to turn over Plaintiff's documents and files to Plaintiff or to the counsel of his
26 MINUTE ORDER – 2

1 choice and facilitate the transition of the case to new counsel as required by the Rules of Professional
2 Conduct. The Court declines to take up or express an opinion on the matters of fees and costs raised by
3 Plaintiff, as the instant ruling on counsel's withdrawal motion is not the proper forum or time to address
4 those issues.

5 DATED this 10th day of February, 2006.

6 BRUCE RIFKIN, Clerk of Court

7 By /s/ C. Ledesma
8 Deputy Clerk